

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

1940 ROUTE 9, LLC,  <div style="text-align: right;">Plaintiff,</div>  <div style="text-align: center;">v.</div>  TOWNSHIP OF TOMS RIVER, NEW JERSEY,  <div style="text-align: right;">Defendant.</div>	<div style="text-align: center;">Civ. No. 3:18-cv-08008-PGS-LHG</div>  <div style="text-align: center;"><b>DECLARATION IN SUPPORT OF JOINT MOTION TO BIFURCATE TRIAL PURSUANT TO FED. R. CIV. PROC. 42(b)</b></div> <div style="text-align: center;">Returnable 12/16/2019</div>
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**DECLARATION OF SIEGLINDE K. RATH**

Sieglinde K. Rath declares as follows, pursuant to 28 U.S.C. § 1746:

1. I am an attorney with Storzer & Associates, representing the Plaintiff 1940 Route 9 LLC, and make this declaration in that capacity.
2. I respectfully submit this Declaration in support of the parties' Joint Motion for Bifurcation of Trial.
3. Upon information and belief, the damages portion of this litigation will be substantial and time-consuming.
4. A true and correct copy of an excerpt of Plaintiff's initial disclosures is attached as **Exhibit A**. In this excerpt, Plaintiff asserted damages from lost profits in the tens of millions.

5. Litigating damages will involve complex issues and Plaintiff anticipates calling four (4) experts on the issue of lost profits to support its claims.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on November 22, 2019

/s/ Sieglinde K. Rath  
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